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SHERYL A. STRAIN  
CHAPTER 7 TRUSTEE  
575 E. ALLUVIAL AVE., #101  
FRESNO, CA 93720  
PHONE: (559) 435-2100  
FAX: (559) 435-5656

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

In the Matter of:	) Case No.: 09-60064-A-7
	)
JAMES RICHARD RABAGO and	) DC No.: SAS-5
	)
NATALIE LOUISE RABAGO	) <b>MOTION FOR AUTHORIZATION TO</b>
	) <b>SELL PERSONAL PROPERTY</b>
	)
	) Date: January 4, 2012
	) Time: 9:00 A.M.
Debtors.	) Dept: A
	) Judge: Honorable Whitney Rimel

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**TO THE HONORABLE WHITNEY RIMEL UNITED STATES BANKRUPTCY**  
**JUDGE:**

I, Sheryl A. Strain, as the duly appointed qualified, and acting Trustee of the above-entitled estate allege.

1. The above-captioned case was filed under Chapter 7 on October 19, 2009, and I was appointed Chapter 7 Trustee.

2. This Court has jurisdiction over this proceeding by virtue of U.S.C. §1334(a). This a “core” proceeding pursuant to 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant to 11 U.S.C. §363.

1           3.       Among the assets of this estate is the debtors' 10% interest in Tenaya  
2 Properties, a California general partnership ("Interest"), that owns 3 medical office buildings in  
3 Merced, California.

4           4.       I have received an offer from the partners of Tenaya Properties, Jerry E.  
5 Callister, L. Thomas Fife, and Timothy Johnston, to purchase the non-exempt equity in the  
6 debtors' interest, for the total sum of Twenty Five Thousand and 00/100 Dollars (\$25,000.00)  
7 cash. The total sum of \$25,000.00 has been received by the estate, and deposited to an estate  
8 account.

9           5.       In deciding to accept the proposed offer, I took into consideration the fair  
10 market value of the medical office buildings and the debt thereon, debtors' interest, the risk  
11 involved in value decreases due to month to month tenants, and the general market, and the  
12 difficulties involved in selling a non-majority partnership interest.

13          6.       I believe that sale of the above-described property on the terms set forth above  
14 is in the best interest of the creditors of this estate and all parties in interest.

15               **WHEREFORE**, I pray that after appropriate notice and opportunity to be heard, I be  
16 authorized to sell the above-described asset to Jerry E. Callister, L. Thomas Fife, and Timothy  
17 Johnston, partners of Tenaya Properties, for the total sum of \$25,000.00,

18  
19 Dated: 12/6/11

/s/ Sheryl A. Strain  
Sheryl A. Strain  
Chapter 7 Trustee